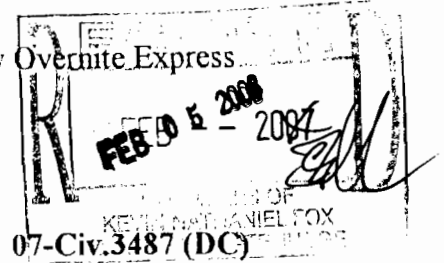


MEMO ENDORSED

February 4, 2008
 Honorable Magistrate Judge Kevin Nathaniel Fox
 U.S. District Court for the Southern District
 500 Pearl Street
 New York City, NY 10007

Sent by Overnight Express.



Dear Judge Fox:

I am Plaintiff in above noted case. Thank you for presiding over my appeal.

I am most respectfully requesting your Honor's consideration to allow me additional time of one month to respond to Defendant's submission for Summary Judgement.

Over the past decade it has been a struggle with the Merit Systems Protection Board to try to receive a rightful life-time pension that is based on my wages to my separation.

The documents I am asking the court's help to receive are the very same documents mandated by statute that the Merit Systems Protection Board are obligated to give to all that go before the Board. Without these documents the Merit Systems has not allowed my appeal rights before the Board or any subsequent review by the U.S. Court of Appeals for the Federal Circuit. Court of Appeals does not accept cassette tapes into evidence or transcription of tapes that are not 'Certified' by the transcriber.

By concealing these documents and keeping them from me the Board has been free to repeatedly rule against me. These documents are the cornerstone of my appeal for life-time annuity benefit that the statutes allow, and will substantiate settlement agreement. I have been very diligent and dedicated in my efforts to receive this benefit since 1997.

I have tried desperately to adhere to your Honor's scheduling of my case. However, due to ongoing illness I have fallen very short of my response needed at this time. I have been under the care of Doctor Applebaum since November, 2007. On my behalf Doctor Appelbaum has asked the Court that it might consider a one month extension. Doctor Applebaum has asked the Court to call him with any questions you may have.

I hope and pray that your Honor might consider rescheduling and allow me time to hopefully recover sufficiently to submit a meaningful response to Defendant's papers.

Also, Defendant's submission is over 200 pages, a large volume for me to respond to.

Thank you for your time, efforts, and help on my behalf, I am truly grateful.

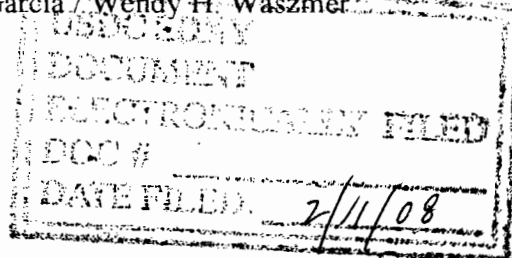
Respectfully submitted;

Rose Caracciolo

Rose Caracciolo, Pro Se

Encl: Dr. Applebaum's medical advice

CC: Michael J. Garcia / Wendy H. Waszmer



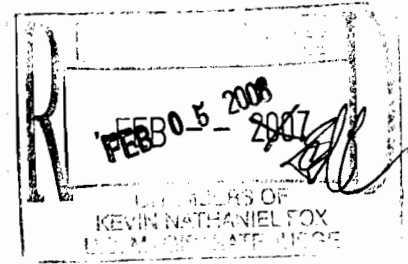
2/11/08

On or before March 12, 2008, the plaintiff shall serve and file a response to the defendant's motion. On or before March 31, 2008, any reply shall be served and filed.

SO ORDERED:

Kevin Nathaniel Fox

KEVIN NATHANIEL FOX, U.S.M.J.



CERTIFICATION OF MAILING

I, ROSE CARACCILO, CERTIFY THAT ON THIS DAY, TRUE COPY OF
CORRESPONDENCE REQUESTING EXTENSION TO FILE RESPONSE TO DEFENDANT'S
SUMMARY JUDGEMENT WAS MAILED BY THE UNITED STATES POSTAL SERVICE TO THE
FOLLOWING:

Michael J. Garcia
Wendy H. Waszmer, A.U.S.A.
86 Chambers Street
New York, New York 10007

Dated: February 4, 2008

Signed: Rose Caracciolo
Rose Caracciolo